

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

SHANNON SZUSZALSKI

Plaintiff,

v.

No. CV 19-250 RB/CG

RUDY FIELDS, et al.

Defendants.

**ORDER GRANTING MOTION TO COMPEL**

**THIS MATTER** is before the Court on Plaintiff Shannon Szuszalski's *Motion and Memorandum to Compel Sandoval County Defendants' Amended Initial Disclosures Pursuant to Rule 26(a)(1)* (the "Motion"), (Doc. 44), filed June 5, 2019. Defendants did not file a Response to the Motion and the time for doing so has now passed. See D.N.M.LR-CIV 7.4(a) ("A response must be served and filed within fourteen (14) calendar days after service of the motion."). In accordance with the local rules, Defendants' failure to respond in opposition to Plaintiff's Motion is viewed as consent for the Court to grant the Motion. See N.M.LR-CIV 7.1(b) ("The failure of a party to file and serve a response in opposition to a motion within the time prescribed for doing so constitutes consent to grant a motion.").

**IT IS THEREFORE ORDERED** that Plaintiff Shannon Szuszalski's *Motion and Memorandum to Compel Sandoval County Defendants' Amended Initial Disclosures Pursuant to Rule 26(a)(1)*, (Doc. 44), shall be **GRANTED**.

**IT IS FURTHER ORDERED** that Defendants shall pay all of Plaintiff's attorney fees related to the filing of this Motion.

**IT IS SO ORDERED.**



THE HONORABLE CARMEN E. GARZA  
CHIEF UNITED STATES MAGISTRATE JUDGE